

Against

AFFIDAVIT OF SERVICE

1 WORLD TRADE CENTER, et al

Defendant(s) Respondent(s)

STATE OF NEW YORK, COUNTY OF QUEENS

EDWIN IZAGUIRRE, The undersigned, being sworn says: Deponent is not a party herein; is over 18 years and resides at:
 33-44 JUNCTION BOULEVARD, JACKSON HEIGHTS, NY 11372

On 2-25-08 at 12:30PM at 1190 RAYMOND BOULEVARD, NEWARK, NJ

Deponent served the within: -X- Other FIRST SUPPLEMENTAL SUMMONS AND AMENDED COMPLAINT

-X- Summons and Complaint --- Notice of Petition and Petition --- Order to Show Cause
 --- Subpoena Duces Tecum --- Subpoena --- Subpoena of Non-Party Witness

On TULLY CONSTRUCTION CO, INC.
 C/O PATTON BOGGS LLP

-X-Defendant ---Witness (herein after called the recipient)
 ---Respondent

Individual By delivering a true copy of each to said recipient personally, deponent knew the person so served to be the person described as said recipient therein.

Corporation By delivering there a true copy of each to: CHRIS DiMURO (ATTORNEY)

Agency/Entity personally, deponent knew said corporation so served to be the corporation, described in same as said respondent and X knew said individual to be Authorized Agent thereof who specifically stated SHE/HE was authorized to accept service.

Suitable By delivering thereat a true copy of each to: a person of suitable age
 Age Person and discretion authorized to accept service. Said premises is recipient's---actual place of business---dwelling place
 ---usual place of abode within State.

Affixing to By affixing a true copy of each to the door of said premises, which is recipient's ----actual place of business
 Door, etc. ---dwelling place---usual place of abode within the state. Deponent was unable, with due diligence, to find recipient or a person of suitable age and discretion, thereat, having called there.

Mailing to Deponent talked to: at said premises who stated that recipient---lived---worked there
 Residence within 20 days of such delivery or affixing. Deponent enclosed copy of same in a postpaid envelope properly addressed to recipient at recipient's last known residence at: and deposited said envelope in an official depository under care and custody of the U.S. Postal Service within New York State.

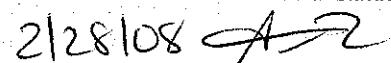
Mailing to Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a First Class post paid envelope
 Business properly addressed to recipient's actual place of business at:
 in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
 Envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

| | | | | | | | |
|---------------------------------------|--|---|---|--|--|---------------------------------------|---|
| Description | <input checked="" type="checkbox"/> -X- Male | <input type="checkbox"/> -X-White Skin | <input type="checkbox"/> -X-Black Hair | <input type="checkbox"/> ---White Hair | <input type="checkbox"/> ---14-20 yrs. | <input type="checkbox"/> ---Under 5' | <input type="checkbox"/> ---Under 100 lbs |
| <input checked="" type="checkbox"/> X | <input type="checkbox"/> --- Female | <input type="checkbox"/> ---Black Skin | <input type="checkbox"/> ---Brown Hair | <input type="checkbox"/> ---Balding | <input type="checkbox"/> ---21-35 | <input type="checkbox"/> ---5'-5'3 | <input type="checkbox"/> ---100-130 lbs |
| | | <input type="checkbox"/> ---Yellow Skin | <input type="checkbox"/> ---Blonde Hair | <input type="checkbox"/> ---Mustache | <input type="checkbox"/> ---X-36-50 | <input type="checkbox"/> ---5'4"-5'8" | <input type="checkbox"/> ---131-160 lbs |
| | | <input type="checkbox"/> ---Brown Skin | <input type="checkbox"/> ---Gray Hair | <input type="checkbox"/> ---Beard | <input type="checkbox"/> ---51-65 | <input type="checkbox"/> ---X-5'9"-6" | <input type="checkbox"/> ---X-161-200 lbs |
| | | <input type="checkbox"/> ---Red Skin | <input type="checkbox"/> ---Red Hair | <input type="checkbox"/> ---Glasses | <input type="checkbox"/> ---Over 65 yrs. | <input type="checkbox"/> ---Over 6' | <input type="checkbox"/> ---Over 200 lbs |

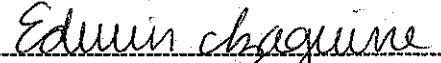
Other identifying features:

Witness Fees \$ the authorizing traveling expenses
 and one day's witness fee: --- was paid to the recipient
 --- was mailed to the witness with subpoena copy

Military I asked the person spoken to whether recipient was in active military service of the U S or of the State of New York in
 Service any capacity whatsoever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform.
 The source of my information and the grounds for my belief are the conversations and observation above narrated. Upon
 information and belief I have that the recipient is not in military service of NY State or of the United States as that term is
 defined in either the State or in the Federal statutes.

Sworn to before me on 2/28/08 

ANNE LI
 Notary Public, State of New York
 No. 01LI6161335
 Qualified in Queens County
 Commission Expires 02/26/2011


 EDWIN IZAGUIRRE - LICENSE NO. 1247236